



U.S. DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration
National Marine Sanctuary System
Stellwagen Bank National Marine Sanctuary
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**23rd SANCTUARY ADVISORY COUNCIL MEETING MINUTES
Boston Children's Museum, Boston, Massachusetts
6 May 2008**

MINUTES OF MEETING

Present:

Peter Auster
Edward Barrett
Priscilla Brooks
Dale Brown
David Casoni
Deborah Cramer
Jack Crowley
Richard Delaney
Kathleen Dolan
Susan Farady
Robert Foster
Barry Gibson
Kathryn Green
Porter Hoagland
Chris Kellogg
Heather Knowles
CDR Edward Marohn
Martin McCabe
Steve Milliken
Timothy Moll
Kate Natrass
Brendon O'Brien
Judith Pederson
William "Chip" Reilly
Leona Roach
David Robinson
Heather Rockwell

Member: Research
Member: Mobile Gear Commercial Fishing
Alternate: Conservation
Member: At Large
Alternate: Fixed Gear Commercial Fishing
Member: At Large
Alternate: Education
Member: Education
Ex Officio Member: State – MA Environmental Police
Member: Conservation
Alternate: Diving
Member: Recreational Fishing
Alternate - At Large
Member: At Large
Alternate: Federal – NE Fisheries Management Council
Member: Diving
Designee: First Coast Guard District
Member: Marine Transportation
Member: Whale Watching
Member: Business and Industry
Alternate: Research
Alternate to Porter Hoagland - At Large
Alternate: Research
Alternate – Whale Watching
Alternate: Business and Industry
Member: Maritime Heritage
Alternate: Education

Kathi Rodrigues
Mason Weinrich
Richard Wheeler
Mark Wilkins
Sally Yozell

Designee: Federal – National Marine Fisheries Service
Member: Research
Member: Education
Alternate: Maritime Heritage
Member: At Large

SBNMS Staff:

Craig MacDonald
Ben Cowie-Haskell
Nathalie Ward
Michael Thompson

Alan Collette
Leila Hatch
Matthew Lawrence
David Waldrip

Deborah Marx
Anne Smrcina
Elizabeth Stokes

Others Present:

Reed Bohne
Lou Cafiero
Paul Ticco

Peter Borrelli
John Williamson
Jennifer Ferre

Gib Chase
Ian Cundall

I. Welcome, Review of Agenda and Approval of 22nd SAC Minutes. Susan Farady opened the meeting by welcoming everyone. Farady announced that the June 12th SAC meeting will be held in Hyannis. It will be a half-day meeting in the afternoon and convenient for those SAC members who want to stay for the Draft Management Plan (DMP) public meeting that evening. SAC members will also be polled to schedule the next couple of SAC meetings through the remainder of 2008. Farady emphasized that this is not a public hearing on the DMP. There is a limited window of time for public comment, but this is not the sole opportunity to comment on the plan.

i. Review of Agenda: The agenda was reviewed.

ii. Approval of 22nd SAC Minutes: The Minutes of the 22nd SAC Meeting were reviewed and approved with one correction:

Ed Barrett recommended that the following correction be made to avoid confusion between fixed gear versus mobile gear fishing:

Page 6, Section V. Constituent Reports, I. MA Lobster Whale Safe-R Campaign (Bill Adler). First sentence changed from: "Adler briefed on a campaign ...the use of ground line from fishing trawlers." to read: "Adler briefed on a campaign.....the use of ground line from fishing vessels using fixed gear."

II. SAC Business

i. New Members Welcome (Craig MacDonald)

SAC membership has been extended to include two new seats -- one for Diving and one for

Maritime Heritage.

Diving Member: Heather Rockwell
Alternate: Robert Foster

Maritime Heritage Member: David Robinson
Alternate: Steve Wilkins

Diving member seat will be a 2 year-term and Maritime Heritage 3 years. Terms can be renewed and extended.

ii. VOY Award (NMSF) (Craig MacDonald)

Dick Wheeler has been nominated as Volunteer of the Year (VOY) for SBNMS and will be recognized at the National Marine Sanctuary Program (NMSP) banquet sponsored by the National Marine Sanctuary Foundation. The VOY awards banquet will be held in Washington DC on June 3rd. Dick has been a member of the SAC since its inception, a founding member of Stellwagen Alive, and at the center of the Aukathon -- the kayak paddle from Provincetown to Gloucester via Scituate and Boston. The Aukathon generated a great deal of media attention for the Sanctuary. Previous SAC member nominees have been Susan Farady, Peter Auster, and John Williamson.

iii. SAC Leadership Award (Susan Farady and Nathalie Ward)

Motion was passed to endorse the formation and establishment of the SAC Volunteer Leadership Award.

Nathalie Ward briefed on criteria and different types of awards. There will be three different awards: one for a sanctuary staff member; one to a community member; and one to a student. This will be an annual award presented at the fall meeting. There does not need to be three individual nominees each year. Nominations will be put forward at the June 12th SAC meeting. Criteria includes a sizeable amount of time devoted to sanctuary work, extraordinary assistance to sanctuary work, as well as contributions made to the visibility of the sanctuary. Nathalie will email information on the nomination prior to the next SAC meeting.

iv. Blue Seas Greening Subcommittee (Susan Farady)

Susan Farady announced that a Blue Seas Greening subcommittee was formed at the last SAC meeting. This was an initiative set forth by the NMSP to encourage greening of communities where sanctuary offices are located. The subcommittee identified the marine debris project as a topic to explore. However, there will not be any activity to move forward with this initiative at this point due to lack of funding at NOAA.

Ben Cowie-Haskell provided an update on the ongoing marine debris project since it was identified as the focal topic for the Blue Seas Greening Project. He applied for a second year of funding through the NOAA marine debris program and was awarded \$64,000 to continue to

work with Frank Mirarchi, a local fisherman from Scituate, and to hire a marine debris coordinator. He has a dumpster in place, donated by Covanta Energy Group, where fishermen can place their waste fishing gear. Cowie-Haskell is hoping to work with Covanta to have more dumpsters in place throughout other fishing communities.

Discussion ensued regarding marine debris initiative (Yozell, Barrett, Auster, Farady, Rockwell, and Casoni):

Question: What is incentive for fishermen to pick up debris? What type of gear is retrieved and to what depth?

Cowie-Haskell: No bounty associated with this; it's just right thing to do to protect whales. Retrieval focuses on gear that is on the seafloor. The infrastructure is not yet in place to support a broader effort throughout various communities. But, hopefully, Scituate is a beginning and will show other communities how it can work and encourage them to adopt a similar program.

Comments:

- The sanctuary should try use its resources to replace the missing dumpster that was used for marine debris in Plymouth, especially since it is the homeport of the R/V Auk in wintertime.
- Suggestion that there be a systematic effort to work with all harbormasters and towns that fish the sanctuary, not just a select few. All the communities and towns that fish the sanctuary should make the investment to dispose of marine debris.
- Leona Roach announced that there is an infrastructure that exists in her community to dispose of shrink wrap (seasonally Feb-Jun), by the company E.L. Harvey. The company may be willing to work in partnership to pick up marine debris. She will research this further.
- There needs to be some regulation in place to prevent the general public from using the dumpster for personal refuse. A solution offered is that the dumpster remain locked and the harbormaster would maintain the key; this would mitigate the problem.

Final comment by Susan Farady: She will share the SAC's feedback on the marine debris initiative at the SAC Chair/Coordinator's annual meeting.

v. Sister Sanctuary Initiative (Nathalie Ward)

Nathalie was pleased to announce the formation of the first sister sanctuary between SBNMS and the Dominican Republic. A memorandum of agreement has been signed by both sanctuaries. This is the first sister sanctuary program of its kind worldwide to protect the baleen transboundary species. The first sister sanctuary action plan meeting was held which established a series of activities over the next 3 years. Nathalie passed along her appreciation and thanks to the many partners who pushed this program forward.

vi. SAC Chair Announcements (Nathalie Ward and Susan Farady)

1. Annual Chair and Coordinator's Meeting. Susan Farady and Nathalie Ward will attend the annual SAC Chairs and Coordinators meeting in Newport News. This is a good event for a national exchange regarding SAC business. SBNMS was one of the sites of the many different regions selected to present a case study on marine mammals. Nathalie Ward has done a good job on preparing the presentation. There will be more to report concerning the meeting at the 12 June SAC.

2. The next SAC meeting is June 12th at the Cape Codder in Hyannis.

3. Future SAC Schedule. Need to get back to the regular annual SAC schedule. Quarterly meetings will be held in June, October, December, and March. Ward solicited constituent reports and luncheon speakers for SAC meetings. She will send out reminders by email.

vii. Budget Update (Craig MacDonald)

Craig MacDonald provided an overview of the sanctuary budget. Funding level for the sanctuary has decreased every year for FY06, 07, and 08. It is projected that for FY09, NOAA and NMSP will be subjected to a year-long continuing resolution due to a change in the administration. This continuing resolution will result in limited spending on a quarterly basis. MacDonald is hoping to maintain 'status quo' funding for FY09, but this is likely an optimistic scenario.

Questions, Comments, and Discussion (Weinrich, Farady, Bohne, Robinson, Auster, Yozell, and MacDonald):

How will the rising price of fuel affect use of the R/V Auk?

MacDonald: It is uncertain on how the rising fuel cost will affect base allocation for sanctuary research. Grants are being prepared by sanctuary staff and partnership agreements are being developed with various academic institutions, such as Boston University's marine program, to use the R/V Auk on a cost reimbursable basis. This is the first year that the R/V Auk has run practically every day during the month of May so the fuel cost allocation will be exceeded based on historical use. This year will determine whether allocations need to be increased.

Will there be funding to implement some of the changes suggested in the DMP?

MacDonald: There are key cost projections and there will be funding to implement the changes suggested in the DMP, but they are prioritized. It will still be a challenge to implement changes if budget remains the same or decreases.

Will there be sufficient funds to make the two maritime heritage archeologists positions full time?

MacDonald: The two maritime heritage archaeologist positions are 3/4 time. Funding for these at 3/4 time is solid through this fiscal year. Priority one for FY09 is to fund all contract labor, followed by internal prioritization within the sanctuary.

Auster raised concern that ship time with the R/V Nancy Foster will cease as of 2008. There is a critical need for a large platform research vessel that can accommodate a large science party and operate around the clock. Without this capability, ongoing projects cannot be completed. He suggested that a subcommittee be formed to address this issue and that a letter be drafted to NOAA to request reconsideration of large vessel allocations in order to conduct research in the sanctuary. Auster stated that vessels from Woods Hole cannot be utilized because they are too large.

Reed Bohne and Craig MacDonald explained how ship time for sanctuaries was allocated. This has always been a problem for Stellwagen. Bohne was unaware that the R/V Nancy Foster will no longer be available to the sanctuary as of 2008. He realizes how important the use of the R/V Nancy Foster is to sanctuary work and will raise this issue to the appropriate parties at Headquarters.

Farady is concerned about the loss of research capability time that Peter Auster has outlined. This is an issue for the SAC to get involved in and suggested engagement in some manner by all members.

Auster, Delaney and Weinrich will work together along with Dave Wiley to prepare a letter to NOAA requesting more ship time.

vii. Presentation by John Williamson

John Williamson presented Craig MacDonald with a large photograph of a whale being tagged, which was taken summer of 2007 during the SBNMS whale tagging cruise. The photo was taken from Williamson's boat by a Boston Globe photographer and was published on the front page of the Boston Globe the following day. Williamson remarked that it was very exciting to participate in the whale tagging cruise and commended Dave Wiley and his crew for the groundbreaking research that is being done in helping to better understand marine mammal behavior.

Other Comments:

Farady thanked Jen Bender-Ferre from Stellwagen Alive for helping to acquire the meeting space at Fable Vision at the Children's Museum in Boston for the 23rd SAC Meeting. Ferre remarked that Fable Vision is an awarding winning New York based multi-media company. Stellwagen Alive is partnering with Fable Vision on a variety of projects.

III. Introduction to Release of Draft Management Plan (DMP) (MacDonald and Benjamin Cowie-Haskell)

Farady opened the discussion by thanking all SAC members, sanctuary staff, as well as the

working groups for their efforts, energy, and time that everyone has invested in the DMP.

MacDonald gave a cursory presentation of the DMP and how it will be rolled-out at each public meeting. He solicited comments from SAC members.

Comments and Discussion on Presentation for DMP Roll-Out (Weinrich, Auster, Barrett, Yozell, Casoni):

- It is important to be clear about what the action plans in the DMP are proposing in general and how to address them. What is the public expected to comment upon?
- More information should be provided in the presentation on what is laid out in the action plans. The presentation does not inform the public on what is in the action plans.
- There is a lot of old data that is flawed or not factual, such as discard data, which negatively impacts how the public will view fishing in the sanctuary. The presentation does not provide a true picture of what's happening in the sanctuary.
- The presentation lays out and advocates a compelling scientific case for action, but doesn't lay out any real management or action. How do we get to a place to see real conservation not just science?
- There are some problems with fishing sections in the DMP. There have been enormous changes in terms of maximum size issue in the past 10 years. There is a lot of information on age structure now and useful scientific information that is not cited. There is concern about the herring management conclusion -- not the data just conclusion regarding herring.
- A representative of the public suggested adding a "Marine ecology 101" slide depicting the food chain and relative importance and critical levels of disruption/impact.

MacDonald: There are different levels of public comment; any and all comments are welcomed. One needs to look at the DMP document as a whole. It was a problem to hit high spots in the presentation. Findings of the plan have been derived almost entirely from the SAC working groups, with the exception of some synthesis and condensation. The working groups crafted action plans; the work generated from the working groups has remained intact. MacDonald welcomes comments from all SAC members once they have had the opportunity to read the DMP.

Copies of MacDonald's presentation will be made available for SAC members to present to their constituents.

IV. Continuation of DMP Roll-Out (Craig MacDonald)

MacDonald outlined various sections of the DMP, pointing out the importance of the Executive Summary. This is NOAA's DMP for the sanctuary; it is not the sanctuary's DMP. It is important

to understand the distinction. Multiple elements throughout NOAA reviewed the plan. It underwent a rigorous and critical commentary period from various branches within NOAA. MacDonald focused on sections that are important for the SAC to review and comment, in particular, the action plans. He addressed time lines for implementation strategy that needs to be taken into consideration. He asked the SAC to review actions plans and comment on what processes need to be adopted. The sanctuary needs to place emphasis on community ecology. The message on environmentally sustained fishing needs to be clear.

Comments and Discussion (Auster, Farady, Barrett, Weinrich, Brooks, Rodrigues, Gibson, Pederson, Delaney, Casoni):

- This is the first time the SAC sees the DMP.
- How can the SAC help to get important information out to public? The DMP has a lot of information and the public needs help to synthesize it.
- More information on key elements of action plans needs to be provided on how to manage the sanctuary and how these can be addressed.
- NMFS was part of the internal review of the DMP and did contribute comments, some of which were incorporated.
- Preponderance will be that the public wants to know how this plan affects them. A few succinct points need to be made to clarify what the public needs to hear at the public meetings. We need to allay sanctuary users' fears.
- There are timelines outlined in Banknotes. Tying in discussion to timelines would be helpful on how to address various issues.
- To engage the public requires more specifics. The public needs to be engaged in a constructive way. The SAC is trying to provide advice, but needs to understand the actions and summary of items; that is the message that needs to be put forward to the public on behalf of NOAA and the sanctuary. There is a lot of information in the DMP to digest in a 90-day public comment period.
- Appendix O of the DMP may be the most useful summation of the plan because it lists high priorities. Appendix O should be a supplemental document to be handed out at public meetings.

Ben Cowie-Haskell presented an overview of the strategies across the actions plans that were created from working groups. He outlined the number of strategies presently in place, and showed the variance in strategies that were moved or changed. More detail on the action plans can be given at the 12 Jun SAC meeting, after the SAC has had a chance to read the plan. Cowie-Haskell stated that action plans will be altered based on public comment.

Discussion ensued regarding ratios presented. Cowie-Haskell clarified. Further discussion took

place concerning DMP budget funding -- high versus low priority depending on funding. Cost is \$3.5 million to have entire DMP implemented.

MacDonald stated that his monologue was to emphasize basic structure of the document and particular highlights of the science as it relates to biodiversity conservation. He asked that SAC members become familiar with the document in order to respond to constituents and assist with the public process. He described specific strategies that tie into action plans. Action plans have been discussed in working groups and discussed at SAC meetings. Actions that are being recommended were addressed. Sanctuary staff will go through and highlight those that are the most important. The Banknotes is not a substitute for the plan. It simply highlights important points of the plan.

Farady: Bottom line is how to communicate the relevance of DMP to a very broad-based population of constituents and place more focus on the action plans.

V. DMP Roll-Out Schedule (Craig MacDonald)

MacDonald outlined the DMP roll-out schedule. Public comment period closes on August 4. He asked that SAC members employ whatever means they have to get the word out to constituents and work with their various organizations. The DMP has been mailed to research institutions, aquariums, and to approximately 125 public libraries along the New England coast. Banknotes will be sent out to 4,000 people in addition to being posted on the website. There is also a short video in production that will go up on the website once completed. In addition, there are 1500 CDs of the DMP available. Hard copies of the plan are available in limited numbers. A copy of the DMP is posted on the Stellwagen website in high and low resolution pdf format. A notice of the DMP release and how to access it was sent by email to 13000 interested constituents. DMP public meeting schedule is posted on website and the flyer will be made available at public meetings. A total of eight public meetings will be held (ME, NH, MA, CT) .. Court reporters will be recording the public meetings. Notices have been submitted to newspapers and radio stations. Public comments are being accepted via email, fax, mail, and they can be dropped off at our sanctuary office during normal business hours. All SAC members are encouraged to attend the public meetings.

Discussion and Comments (Casoni, Roach, Cafiero, Milliken, Rockwell)

Comments:

The fishing community will attend public meetings. More work needs to be done to diffuse what could potentially create a defensive situation within the fishing community.

Several SAC members voiced their dismay that the Boston Globe saw the DMP and commented on it prior to the SAC members having a chance to review it. Some members have already been contacted by the press.

Cafiero expressed his regrets that a courtesy copy of the plan was not given to the SAC in

advance, due to a miscommunication higher up the chain.

MacDonald: The press was not notified until 6 May and had not seen the plan prior to that. The DMP communication with the media was done through an editorial briefing.

Milliken raised concern about Dave Wiley's article on commercial whale watching that was published in the journal *Conservation Biology*. Milliken felt the article was negative and implied that whale watch guidelines are not followed. Guidelines in place are good but boats cannot be 100 percent compliant.

MacDonald explained that it was not Wiley's intent for commercial whale watching to receive adverse press. Wiley's article was in press for over a year and the timing of its release unfortunate. The article was picked up by a reporter who got it from *Conservation Biology*.

VI. Other Council Business

Weinrich: Whale Center of New England purchased a 42-foot research vessel—*Mysticete*.

VII. Public Comment. No public comment.

Farady: Reminder that next SAC meeting will be June 12 at the Cape Codder Resort in Hyannis. It will be a half-day meeting prior to the public meeting that evening at the same location.

Auster inquired about whether there was any progress on teleconferencing for SAC meetings. This issue remains on the table.

VIII. Adjournment. Meeting adjourned 4 pm.